

Administrative Approval
Reduction of Minimum Side Yard Setbacks
R-1, R-2 and R-3
Districts

The applicant is required to complete items #1-5 and #7-9 of the following list. The application and copy of a sample letter is included with this package.

1. Application.
2. Letter of justification – work description- reasons for requesting a reduction in the setback.
3. Plat of property showing location of proposed work with setbacks marked. **PLAT MUST BE SIGNED BY PROPERTY OWNER(S).**
4. Letter stating that the plat is an accurate representation of the property as it currently exists.
5. Plans for proposed work with elevations depicted. **Plans MUST BE SIGNED BY PROPERTY OWNER(S).**
6. Staff will provide map, names and addresses of all the adjacent property owners to be notified.
7. Applicant is responsible to create and mail notification letters to all adjacent properties. Plans, plat, and elevations must accompany the notification letters.

PRIOR to sending the letters Staff must have a complete application, which should include the following:

- Application
 - Letter of justification
 - Plat
 - Plans
 - List of all properties that will receive the notification letters
8. Applicant must mail notifications **Certified Return Receipt.**
 9. Return address on the back of green card should read:

Community Development and Planning
ATTN: Zoning Technician / Room 207A
10455 Armstrong Street
Fairfax, Va. 22030

Notify staff the date letters are mailed by returning the receipt of purchase to the Zoning Office.

FOR OFFICE USE ONLY	
Date Submitted	Application Number
Notices Mailed	Parcel Number

**ADMINISTRATIVE APPROVAL APPLICATION
REDUCTION OF MINIMUM SIDE YARD REQUIREMENTS
IN THE R-1, R-2, AND R-3 RESIDENTIAL DISTRICTS
CITY OF FAIRFAX**

Property Owners: _____

Site Address: _____

Pursuant to Section 110-369.1 of the City Code, the zoning administrator may approve a reduction in the minimum side yard requirements for property in the R-1, R-2, or R-3 Residential District to accommodate an expansion of an existing residence upon finding that the proposal meets the following criteria:

- The expansion is consistent with the comprehensive plan.
- For a reduction of the minimum side yard to accommodate a one-story addition of living space or attached garage, the reduction is not greater than fifty (50) percent of the required side yard for the district.
- For a reduction of the minimum side yard to accommodate a two-story addition of living space or attached garage, the reduction is not greater than twenty-five (25) percent of the required side yard for the district.
- The proposed expansion will not adversely affect adjacent property or the surrounding area.
- The applicant has demonstrated that the use of the proposed expansion cannot reasonably be accommodated elsewhere on the lot.

The proposed structural modifications meet sound residential design objectives to:

- a) Minimize loss of privacy on neighboring properties.
- b) Maximize image of quality residential development to the street frontage.
- c) Maximize window area from living rooms, dining rooms, kitchens, dens and family rooms visible from the street, within the context of existing building design.
- d) Avoid reduction of light and air to neighboring properties.

The zoning administrator may impose conditions upon any reduction as deemed necessary in the public interest to secure compliance with the considerations in this section.

If the zoning administrator does not approve a reduction, the applicant may file a special exception for consideration by the board of zoning appeals, in accordance with the provisions of this chapter.

**APPLICATION APPROVED/APPROVED WITH CONDITIONS/DENIED (Circle One)
SEE ATTACHED LIST FOR CONDITIONS (if any)**

BY: _____

Zoning Administrator

DATE: _____

(SAMPLE LETTER)

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED
Notice of Requested Administrative Setback Reduction**

Date Here

Name Here

Mailing Address Here

Dear (Insert Recipient Name Here):

This letter is to inform you that I/We have filed an application with the City of Fairfax, Department of Community Development and Planning, seeking an Administrative Reduction from the City's residential property setbacks. This reduction will allow a building setback of _____feet where a _____foot setback is required at (insert your property address here). This reduction is requested to (insert the reason for your request here). Enclosed is a copy of our plat, plans and elevation drawings showing the proposed work.

Applications for Administrative Reduction are reviewed by the Zoning Administrator and approved administratively. Please contact staff with the City of Fairfax, at 703-385-7820 within five (5) days of receipt of this letter if you should have any questions or concerns.

Sincerely,

YOUR NAME HERE

Enclosures

Department of Community Development and Planning
City of Fairfax, Virginia
8/20/2013